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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES MURRAY,

No. C-04-3707 MMC

Plaintiff,

**ORDER DENYING AS MOOT  
DEFENDANT'S MOTION TO FILE TRIAL  
EXHIBITS UNDER SEAL**

v.

UNITED STATES OF AMERICA,

(Docket No. 49)

Defendant.

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Before the Court is defendant's motion, filed February 8, 2006, to file its trial exhibits under seal pending the Court's determination as to whether the exhibits should be treated as confidential at trial. Because trial exhibits are not filed until they are admitted at trial, defendant's motion is hereby DENIED as moot. Defendant's exhibits have been lodged with the Court, not filed, and will not be filed unless and until they are admitted at trial.

This order terminates Docket No. 49.

**IT IS SO ORDERED.**

Dated: February 15, 2006

*Maxine M. Chesney*  
MAXINE M. CHESNEY  
United States District Judge